



Date: January 23, 2018 MEPD and Texas Works Bulletin 18-1

**To:** Eligibility Services – Regional Directors

**Program Managers** 

Eligibility Services Supervisors

Regional Attorneys Hearings Officers

From: Regina Carter, Director

Policy Strategy, Analysis, and Development

State Office 2115

Subject: 1. Relative and Other Designated Caregiver Program Payments

2. TIERS Updates - Counting Social Security Benefits for MAGI

Bulletins are sent to supervisors and other regional managers. Supervisors must share this information with all eligibility staff. Please ensure that copies are provided to staff that do not have access to e-mail. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- Texas Works Handbook (TWH) at <a href="http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins">http://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins</a>;
- Medicaid for the Elderly and People with Disabilities (MEPD) Handbook at <a href="http://hhs.texas.gov/laws-regulations/handbooks/medicaid-elderly-and-people-disabilities-handbook/mepd-policy-bulletins">http://hhs.texas.gov/laws-regulations/handbooks/medicaid-elderly-and-people-disabilities-handbook/mepd-policy-bulletins</a>.

### 1. Relative and Other Designated Caregiver Program Payments

# **Background**

In order to provide ongoing support to eligible kinship caregivers of children in the conservatorship of the Texas Department of Family and Protective Services (DFPS), the 85<sup>th</sup> Texas Legislature, Regular Session, 2017, passed House Bill 4 (HB 4), which:

- Expanded the reimbursement payments to both relatives and other designated, nonrelated caregivers, collectively known as kinship caregivers.
- Modified the reimbursement payments provided by DFPS to certain relative or other designated caregivers.

 Modified the frequency that DFPS issues reimbursement payments to kinship caregivers.

# **Current Policy**

DFPS Relative Caregiver Reimbursement Program Payments are paid to eligible relative caregivers who are responsible for a child who is under DFPS conservatorship.

The DFPS Relative Caregiver Reimbursement Program issues two types of payments:

- one-time integration payments which are provided upon the placement of the child; and
- flexible support payments which are provided annually.

### Income

# All Programs

DFPS Relative Caregiver Reimbursement Program payments are exempt from income as stated in the following policy:

- TWH, A-1324.21, DFPS Relative Caregiver Reimbursement Program Payments; and
- MEPD, E-1720, Social Services That Are Not Income.

# Resources

Texas Works (TW) - TANF, SNAP, Medically Needy Spenddown for Children (TP32 and TP56 Emergency)

The remaining balance of the one-time integration payment, or the flexible support payment, is considered as a resource in the month(s) after it is received (TWH, <u>A-1232.13</u>, DFPS Relative Caregiver Reimbursement Program Payments).

# **MEPD**

A person receives a cash reimbursement of medical, or social services expenses, that the person has already paid, such as a DFPS Relative Caregiver Reimbursement payment, the cash received for the medical or social services is:

- not considered income; and
- not a resource for the calendar month following the month of receipt, if the unspent money is identifiable from other resources.

If the money is not identifiable from other resources following the month received, it will be counted with other available resources in that month. The remainder of the cash reimbursement retained until 12:01 a.m. on the first of the second calendar month following its receipt, is a resource at that time (MEPD, <u>F-2110</u>, Cash Reimbursement of Medical or Social Services Expenses).

### **New Policy**

DFPS Relative Caregiver Reimbursement program payment is <u>now</u> referred to as Relative and Other Designated Caregiver (RODC) program payments and are issued to the kinship caregivers.

The RODC program issues two types of payments:

- Kinship reimbursement payments are provided monthly for a time-limited period once a home assessment has been approved and the child placed in the home.
- Post-permanent managing conservatorship annual reimbursement payments are available:
  - annually for three years to kinship caregivers who obtained permanent managing conservatorship (permanent custody) of a child, or until the child turns 18, whichever comes first; and
  - on the anniversary that the caregiver obtained permanent custody of the child.

#### <u>Income</u>

## All Programs

RODC program payments remain exempt from income when determining eligibility for all programs.

### Resources

TW - TANF, SNAP, Medically Needy Spenddown for Children (TP32 and TP56 Emergency)

The remaining balance of RODC program payments continue to be considered as a resource in the month(s) after receipt.

### **MEPD**

Staff must continue to follow current policy in MEPD, <u>F-2110</u> for RODC program payments.

# **Automation**

This change does not require automation changes to the Texas Integrated Eligibility Redesign System (TIERS).

#### **Effective Date**

The policy is effective February 1, 2018.

# Handbook

MEPD Handbook updates are scheduled for June 2018.

TWH updates are scheduled for July 2018.

# **Training**

Training is not required.

# 2. TIERS Updates - Counting Social Security Benefits for MAGI

### Background

The Centers for Medicare and Medicaid Services (CMS) released guidance on how states must count Social Security Benefits (SSBs) when determining whether an individual, who meets a Modified Adjusted Gross Income (MAGI) program exception, is expected to be required to file a federal income tax return. SSBs include Retirement, Survivors, and Disability Insurance (RSDI) and Railroad Retirement benefits.

# **Current Policy and Process**

Texas Works Bulletin 17-15 and MEPD Bulletin 17-10, released on October 3, 2017, and Texas Works Bulletin 17-16 and MEPD Bulletin 17-11, released on December 11, 2017 instructed staff to submit a Policy Clearance Request (PCR) for cases in which a child or tax dependent receiving SSBs or another household member (such as a parent, taxpayer, or sibling) is denied solely due to excess income.

Policy staff perform manual calculations to determine whether any of the SSBs are countable and provide instructions to the requestor on how to complete the case in the Texas Integrated Eligibility Redesign System (TIERS).

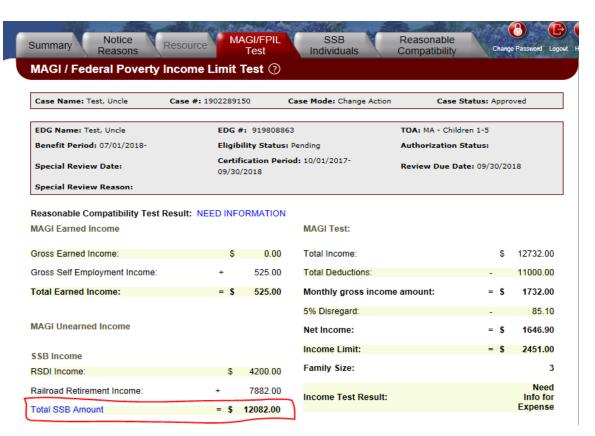
### **New Policy and Process**

Staff is **no** longer required to submit a PCR requesting policy staff perform manual calculations to determine whether any of the SSBs are countable. TIERS now uses IRS rules to calculate the countable amount of SSBs received by a:

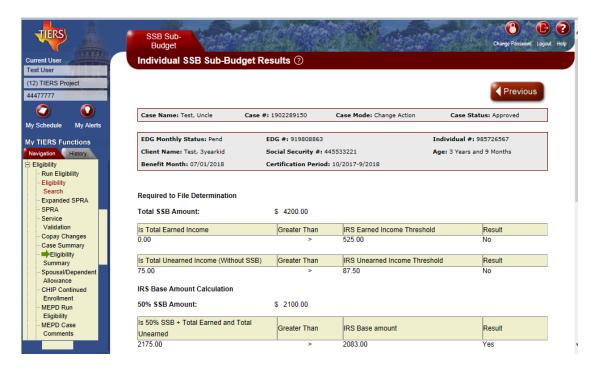
- child under age 19 included in the MAGI household composition of a parent or whose MAGI household composition includes a parent; or
- tax dependent claimed by a non-parent taxpayer who is applying for medical assistance.

Staff must enter the total amount of the individual's SSBs in TIERS so that TIERS can correctly budget the income for non-MAGI programs and calculate the countable amount for MAGI programs.

TIERS details the calculation of the countable SSBs on the **Individual SSB Sub-Budget Results** page. Staff access this page via hyperlinks on the **MAGI Federal Poverty Income Limit Test** page and the **SSB Individuals** page.



ummary Notice	Resource MAGIA	/FPIL SSB	Reasonable	
Reasons	Te	st Individuals	Compatibility	Change Password
SB Individuals ②				
Case Name: Test, Uncle	Case #: 1902289150 Case Mode: Change Action		Case Status: Approved	
			<b>70.</b> 61:11	
EDG Name: Test, Uncle	EDG #: 919808863		TOA: MA - Children 1-5	
Benefit Period: 07/01/2018-	Eligibility Status: Pending		Authorization S	tatus:
Special Review Date:	Certification Period: 10/01/2017- 09/30/2018		Review Due Date: 09/30/2018	
Special Review Reason:				
lame	Relationship	Tax Status	Total SSB	Countable SSE
est,3yearkid	Nephew	Tax Dependent	4200.00	4200.00
est,Infant	Niece	Tax Dependent	4416.00	4416.00
est,Diana	Niece	Tax Dependent	3466.00	3466.00



### **Automation**

TIERS updates are effective with Release 101.

#### **Forms**

Form H1042, Modified Adjusted Gross Income (MAGI) Worksheet: Medicaid and CHIP, is revised to include the steps needed to correctly calculate the countable SSBs when determining MAGI eligibility.

## **Effective Date**

With the implementation of Release 101, staff is no longer required to submit a Policy Clearance Request (PCR).

### Handbook

The Texas Works Handbook updates are scheduled for July 2018.

# **Training**

The web-based training R101-2 Counting Social Security Benefits for MAGI details policy and procedure changes. A training broadcast will be sent with further details.